

UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ILLINOIS

TREVAUGHN COX,

Plaintiff,

v.

MICHAEL RENTH, STEVEN SHELBY and  
CITY OF MADISON,

Defendants.

Case No. 09-cv-730-JPG

**MEMORANDUM AND ORDER**

This matter comes before the Court on plaintiff Trevaughn Cox's Motion to Dismiss (Doc. 27) defendants Michael Renth and Steven Shelby pursuant to Federal Rule of Civil Procedure 41(a)(2). Rule 41(a)(2) provides that only the Court may dismiss an action after an adverse party has filed an answer or motion for summary judgment and in the absence of a stipulation of dismissal of an entire case from all the parties. The Court **GRANTS** the motion, **DISMISSES** all claims in this case against Renth and Shelby **with prejudice and without costs**, and **DIRECTS** the Clerk of Court to enter judgment accordingly at the close of the case.

**IT IS SO ORDERED.**

**DATED: May 5, 2010**

s/ J. Phil Gilbert  
**J. PHIL GILBERT**  
**DISTRICT JUDGE**